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Criminal Use of the 50 Caliber Sniper Rifle

"The simple fact is that .50-calibers have not been used in crimes,"

NRA spokesman Andrew Arulandam, Associated Press, August 18, 2004

- Two teenagers were arrested in Nogales, Arizona in September 2010 as they attempted to smuggle a 50 caliber rifle into Mexico. ("2 teens reportedly try to smuggle .50-cal rifle," *Arizona Daily Star*, September 24, 2010)
- Nicholas Rohrbach was sentenced in September 2010 for participating in a gang-related gun trafficking conspiracy that included a 50 caliber rifle. Prosecutors kept the rifle on display during the trial. The defense claimed that Rohrbach was only a "gun enthusiast." ("Last of defendants in arms case sentenced," *yakimaherald.com*, September 30, 2010)
- John Shipley, an FBI agent, was convicted on April 15, 2010 of dealing in firearms without a license. He bought 54 guns and sold 51, including two Barrett 50 caliber sniper rifles, and falsified many of the records. One of the 50 caliber rifles was used in a drug cartel-related shootout in Chihuahua, Mexico. ("FBI agent guilty of gun dealing," *Las Cruces Sun-News*, April 15, 2010).
- Lloyd Woodson was arraigned on January 26, 2010 on multiple firearms charges, including being a felon in possession of firearms, after police found an arsenal of high-powered firearms and a map of a military base in his hotel room in New Jersey. Among the guns seized was a .223 assault rifle converted to a 50 caliber rifle, a rocket launcher, and military body armor. ("Officials find arsenal of weapons in New Jersey hotel room," *CNN*, January 26, 2010)
- William Burkett pleaded guilty in federal court to charges of conspiring to distribute more than 1,000 kilograms of marijuana on August 19, 2009 and faces life in prison. Burkett's arrest was part of larger investigation of a drug distribution network. During the investigation, police seized 72 weapons including a 50 caliber sniper rifle and several assault rifles in addition to drugs and cash. ("Life term possible for pot trafficker," *Watertown Daily Times*, August 21, 2009)
- Anti-government extremist Ed Brown admitted in court in July 2009 that he pointed a .50 sniper rifle at U.S Marshals who were executing an arrest warrant on his property in New

Hampshire. Brown and his wife, Elaine, are charged with 11 felonies in connection with a nearly nine-month standoff with federal agents. The couple amassed an arsenal that included 22 pipe bombs, dozens of gunpowder grenades, 10 booby trap devices, and two .50-caliber sniper rifles. They issued repeated threats against law enforcement agents. If found guilty, they face virtual life sentences. ("As any American would: Ed Brown takes the stand in his own defense," *Concord Monitor*, July 8, 2009).

- On February 10, federal authorities arrested a Plattsburgh, New York man on federal gun charges. Michael Moccio is suspected of dealing in guns without a license and of selling guns to convicted felons. It is believed he charged felons higher prices than non-felon customers. A 50 caliber sniper rifle was among the 44 guns seized by authorities. One of the guns sold by the suspect turned up at a murder scene. ("Feds seize huge weapons cache in Plattsburgh," *WPTZ.com*, February 10, 2009)
- In January 2009, an Omaha, Nebraska man was arrested for threatening then-President-elect Barack Obama. The man told a Veteran's Affairs official, "I would like to shoot Obama and do it with a sniper shot." The man, Johnnie Galarza, claimed he owned a .50 sniper rifle and that he was trained as a sniper in the U.S. Army. Galarza's threat was reported to the Secret Service. ("Omahan faces federal charge in threat to Obama," *Omaha World-Herald*, January 24, 2009).
- On October 20, 2008, police and federal agents arrested 20 suspects in St. Lawrence County, New York in a drug raid. Police seized 282 grams of cocaine, several pounds of marijuana, and 72 firearms, including several assault rifles and a 50 caliber sniper rifle. ("Police, feds arrest 20 suspects in early-morning drug raids," *Watertown Daily Times*, October 21, 2008)
- In June 2008, a jailed Colorado man wrote a letter to relatives claiming he planned to use a 50 caliber rifle to kill a Mesa County Drug Task Force officer who was involved in arresting the man. Robert Hakel was convicted of nine counts of being a felon in possession of firearms after police seized 15 handguns and rifles from his apartment. Describing his intent to kill the drug enforcement officer, Hakel wrote, "The one gun they missed is the deadliest of them all. I've got the .50 caliber assassin rifle very safely hidden." Police later recovered the 50 caliber rifle along with an SKS assault rifle from an acquaintance of Hakel's. ("Jailed 'grandpa' threatened drug cop," *Grand Junction Free Press*, January 9, 2009).
- On April 4, 2008 a Florida man was arrested on federal charges of using the internet to make threats to recreate the 2007 massacre at Virginia Tech that left 32 people dead. The man had amassed an arsenal that included a 50 caliber sniper rifle along with 13 other firearms and 5,000 rounds of ammunition, including 50 caliber rounds. ("Virginia Tech Threat Arrest," *NBC*, April 4, 2008; "Feds Now Probing Va. Tech Copycat Case," *Associated Press*, April 5, 2008)
- On April 1, 2008, police in Hanover Maryland found a cache of firearms including a 50 caliber Barrett sniper rifle, an Uzi, and several other rifles and handguns in a hotel room after a man

was evicted from the room. When police searched the man's car they found Oxycontin, \$42,000 in cash, and a loaded .45 pistol. The man was arrested. ("Man found with an array of loaded guns, *HometownAnnapolis.com*, April 2, 2008)

- On March 31, 2008 U.S. Immigration and Customs Enforcement (ICE) announced that its agents had seized 10 firearms including a 50 caliber sniper rifle before they were smuggled into Mexico. The guns were found during a traffic stop in Tucson, Arizona. According to ICE, "the seizures stem from a probe by the Border Enforcement Security Task Force to identify, investigate and prosecute, gang members, weapon smugglers, aliens and others illegally in possession of firearms." Richard Crocker, deputy special agent in charge of the ICE office of investigations in Tucson said, "Stopping the illegal flow of weapons into Mexico is a key focus of the BEST team...Many of these seized weapons would have been used by organized criminal gangs against our law enforcement partners in Mexico. By stopping them here, we are preventing these tragedies from occurring there." ("ICE seizes weapons bound for Mexico," U.S. Immigration and Customs Enforcement statement, March 31, 2008).
- In March 2008 a police officer in Ciudad Juarez, Mexico was killed with a 50 caliber sniper rifle. The gun's origin was linked to Phoenix, Arizona according to law enforcement officials. ("Top prosecutors in Ariz., Mexico target smuggling," *Arizona Republic*, March 14, 2008).
- On February 17, 2008 police in Newbury, Massachusetts charged a man with 26 counts of failing to safely store weapons after officers responding to a domestic violence call found 20 firearms including a 50 caliber Armalite sniper rifle. Among the guns was a loaded handgun stuffed under a couch cushion. The man was intoxicated when officers arrived at the home where a 13-year-old boy and 3 year-old girl also resided. The man's permit to carry a concealed handgun was revoked after the arrest. ("High-powered rifle found in Newbury home," *The Boston Globe*, February 19, 2008)
- On September 20, 2007, federal agents seized a 50 caliber sniper rifle from Ray Ross who was indicted in connection with a massive criminal conspiracy to distribute illegal anabolic steroids and other illicit drugs. ("How an Aberdeen garage became key stop in global steroid pipeline," *Seattle Post-Intelligencer*, October 29, 2007)
- On September 12, 2007, police in Suffolk County, New York arrested a man and charged him with conspiring to aid tax protesters who had barricaded themselves in their fortified home in New Hampshire in an effort to evade arrest on numerous tax charges. Police seized firearms, including two 50 caliber sniper rifles and a bomb, from the New York man's home. He was charged with conspiracy to impede an officer of the United States, conspiracy to commit an offense against the United States, accessory after the fact and five counts of possession of a firearm in furtherance of a crime of violence. ("Arms seized from Brown ally's home, Two others arraigned in N.H. today" *Concord Monitor*, September 14, 2007).
- On September 11, 2007, a Salem Oregon man was arrested on charges of second-degree criminal mischief and reckless burning after starting a wildfire by firing armor-piercing incendiary ammunition from a 50 caliber sniper rifle into a tree stump. The fire took days to

extinguish and caused major damage to private forest land. The sheriff's department spokesman was quoted as saying, "The problem with a weapon like this is that you can't safely shoot it anywhere." ("Arrest made in Polk County wildfire: deputies determined high-powered rifle caused fire," *Statesman Journal*, September 11, 2007).

- On July 16, 2007, police in New Haven, Connecticut arrested a Yale University student for illegal discharge of a firearm, reckless endangerment, and second degree threatening, among other charges. Police seized a 50 caliber sniper rifle, an AR-15 assault rifle, numerous pistols, and "various chemicals" from the student's fraternity house. ("Light '09 arrested for illegal weapons possession," *Yale Daily News*, July 17, 2007)
- On May 16, 2007, law enforcement officials in Connecticut charged James E. Gasser with multiple crimes in connection with a lengthy standoff with police after the man discharged a firearm in his home. Among the guns police seized from Gasser's home was a 50 caliber sniper rifle along with .50 ammunition. Police had to evacuate neighbors and deploy an armored vehicle because of the risk presented by Gasser's arsenal. ("Police Seize Weapons from Colchester Man," *The Hartford Courant*, May 16, 2007)
- On April 30, 2007, Arthur A. Garcia of Rice Lake, Wisconsin was arrested on federal charges of being an unlawful drug user in possession of firearms. An arsenal of weapons was seized from his mobile home, including a Vulcan Arms 50 caliber sniper rifle along with assault weapons, body armor, and armor-piercing ammunition. A police informant stated that he had been to Garcia's home several times in a two month period and during each visit Garcia talked continuously about shooting people. According to the informant's statement, Garcia threatened to shoot his ex-girlfriend and her family while they attended church services. Referring to the recent shootings at Virginia Tech, Garcia stated, "The guy had a good start, but screwed up when he shot himself in the head," according to the informant. Garcia also allegedly told the informant that he (Garcia) would have to be killed but not before he had a body count of 1,000. ("Man with arsenal faces federal charges," *The Chronotype Rice Lake Online*, May 14, 2007)
- In August of 2006, William Gerald Thomas of Gainesville, Georgia was charged with aggravated assault with a deadly weapon and use of a firearm while under the influence of alcohol for brandishing a rifle and then a machine gun at a bystander after the parents of two 14-year old girls intervened to stop Thomas from harassing the girls at a motel pool. When police executed a search warrant on Thomas' SUV, they found 38 weapons including 50 caliber sniper rifles, assault weapons, and 2,000 rounds of ammunition. ("38 weapons found in man's car," *The Walton Sun*, August 8, 2006)
- In June of 2006, Anthony Troianello was arrested in Binghamton, New York on illegal weapons charges. The cache of guns that police recovered at his home included several assault weapons, three handguns, and a 50 caliber anti-armor sniper rifle. Authorities also found more than 200 animals on his property, half of which were suffering from maltreatment and required immediate medical attention. ("Man charged with illegally owning firearms," *The Associated Press*, June 7, 2006)

- In May of 2006, a White Supremacist gang was indicted in Arizona on drug and weapons charges, including the sale to undercover officers of a stolen 50 caliber sniper rifle. The rifle was represented by the gang as powerful enough to destroy an armored car or shoot down a Phoenix Police helicopter. According to a special agent from the federal Bureau of Alcohol, Tobacco and Firearms who participated in the investigation, "The destructive capacity of those weapons [50 calibers] makes the streets much safer without them....No question." ("White supremacist gang busted," *Arizona Republic*, May 20, 2006)
- In January of 2006, a grand jury in Florida indicted ten foreign nationals on charges of attempting to provide material support to the Revolutionary Armed Forces of Colombia (FARC), a designated foreign terrorist organization. The indictment alleged that the defendants intended to supply the FARC members with weapons, including 50 50 caliber rifles and two helicopters. ("Foreign Nationals Charged with Attempting to Provide Material Support to Terrorists and Alien Smuggling," Immigration and Customs Enforcement (ICE) News Release, January 27, 2006)
- In March of 2005, Kyle Harness of Marina del Rey, California, was arrested after being pulled over on a traffic stop and found to be in possession of a stolen ArmaLite 50 caliber sniper rifle. Harness was stopped for having a broken taillight and false registration tags, and was on parole for armed robbery at the time of his arrest. ("Officer Finds Rifle in Parolee's Car," *Daily Breeze*, March 15, 2005)
- In June of 2004, Marvin Heemeyer of Granby, Colorado, plowed a makeshift armored bulldozer into several buildings in response to a zoning dispute and fines for city code violations. Heemeyer armored his 60-ton bulldozer with two sheets of half-inch steel with a layer of concrete between them. He methodically drove the bulldozer through the town of Granby, damaging or leveling 13 buildings before taking his own life. Heemeyer mounted three rifles on the bulldozer, including a Barrett 82A1 50 caliber sniper rifle. ("Man who plowed armored bulldozer into seven buildings in Colorado is dead, authorities say," *Associated Press*, June 5, 2004; "Armored Dozer Was Bad to Go," *Denver Rocky Mountain News*, June 25, 2004)
[Slide show of the interior of Heemeyer's bulldozer from the *Denver Post*](#)
- In February of 2004, Donin Wright of Kansas City, Missouri, lured police officers, paramedics, and firefighters to his home where he shot at them with several guns including a Barrett 50 caliber sniper rifle. Authorities discovered at least 20 guns, thousands of rounds of ammunition, and the makings of 20 pipe bombs inside Wright's home. ("Body is Identified in KC Gunfight, Fire," *The Kansas City Star*, March 30, 2004)
[Slide show of the crime scene from *thekansascitychannel.com*](#)
- In June of 2000, Robert W. Stewart of Mesa, Arizona, a convicted felon, was charged with felony possession of firearms for being in possession of Maadi-Griffin 50 caliber "kit guns" he was selling from his home, along with other firearms alleged to be in his possession. Stewart has become a folk hero among hard-line gun advocates and 50 caliber enthusiasts.

He was distinguished, among other things, by his assertion that convicted felons have the right to possess firearms: "I don't care if he's a mass murderer, he killed 50,000 people. He still has a right to have a gun. A gun is just a tool." (MSNBC transcript, "The .50-caliber militia," <http://msnbc.com/news>, May 15, 2001)

- In April of 2000, convicted felon Wayne Frank Barbuto of Salt Lake City, Utah, was charged with attempting to sell two 50 caliber sniper rifles to undercover federal agents. The government believes Barbuto manufactured the guns himself. During a search of Barbuto's home, Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) agents discovered more than 32 firearms and thousands of rounds of ammunition. ("Sandy Gun Dealer Charged by Feds," *The Associated Press*, May 5, 2000)
- According to the General Accounting Office (GAO), 50 caliber sniper rifles have been found in the armories of drug dealers in California, Missouri, and Indiana. A federal investigation in 1999 was "targeting the movement of .50 caliber semi-automatic rifles from the United States to Mexico for use by drug cartels." ("Weaponry: .50 Caliber Rifle Crime," *GAO Office of Special Investigations letter*, August 4, 1999)
- On March 19, 1998, following an undercover investigation, federal law enforcement officers arrested three members of a radical Michigan group known as the North American Militia. The men were charged with plotting to bomb federal office buildings, destroy highways, utilities, and public roads, and assassinate the state's governor, senior U.S. Senator, federal judges, and other federal officials. All three were ultimately convicted. A 50 caliber sniper rifle was among the weapons found in their possession. ("Prosecutor: Hate Was Motive Behind Plot," *The Associated Press*, November 18, 1998)
- Wisconsin father and son James and Theodore Oswald were sentenced in 1995 to multiple life terms for armed robbery and the murder of a Waukesha police captain. The two had "a small armory of sophisticated and expensive weapons, including two custom-made .50-caliber rifles powerful enough to assault an armored car—which the two were considering doing," according to the Waukesha county sheriff. ("Possible Links Between Robbers, Far Right Sought," *Chicago Tribune*, July 10, 1995)
- In the summer of 1995, Canadian officials in British Columbia found a Barrett 50 caliber sniper rifle, 500 rounds of ammunition, and enough explosives to fill a five-ton truck at a remote site. It is believed that members of a Texas militia group planned to set up a training camp at the site. Although at least one convicted felon was identified as a suspect, the investigation was dropped due to difficulties in prosecuting across international borders. The incident prompted one Texas Constitutional Militia official to observe, "We are not all raving maniacs. I'd kind of like to keep our lunatics on our side of the border." ("Arms Smugglers Won't Be Charged," *The Vancouver Sun*, October 26, 1996)
- On April 28, 1995, Albert Petrosky walked into an Albertson's grocery store in suburban Denver, Colorado, and gunned down his estranged wife and the store manager. Armed with an L.A.R. Grizzly 50 caliber sniper rifle, an SKS Chinese semiautomatic assault rifle, a .32

revolver, and a 9mm semiautomatic pistol, Petrosky then walked out into the shopping center parking lot, where he exchanged fire with a federal IRS agent and killed Sgt. Timothy Mossbrucker of the Jefferson County Sheriff's Department. Petrosky, who was known to his friends as "50-cal Al," fired all four weapons, including the 50 caliber rifle, during his murderous rampage. ("Authorities Investigate Gun Sale: Rifle Used in Albertson's Slayings Wasn't Illegal," *Rocky Mountain News*, May 1, 1995)

- Branch Davidian cult members at a compound in Waco, Texas, fired 50 caliber sniper rifles at federal ATF agents during their initial gun battle on February 28, 1993. The weapons' ability to penetrate tactical vehicles prompted the agency to request military armored vehicles to give agents adequate protection from the 50 caliber rifles and other more powerful weapons the Branch Davidians might have had. Four ATF agents were killed. ("Weaponry: .50 Caliber Rifle Crime," *GAO Office of Special Investigations letter*, August 4, 1999)
- On February 27, 1992, a Wells Fargo armored delivery truck was attacked in a "military style operation" in Chamblee, Georgia, by several men using a smoke grenade and a Barrett 50 caliber sniper rifle. Two employees were wounded. ("Two Armored Truck Guards Shot," *The Atlanta Journal Constitution*, February 27, 1992)
- In 1989, two members of a church in Gardner, Montana, who were part of what ATF has described as a "doomsday religious cult," were arrested and charged with federal firearms violations. The two suspects had purchased hundreds of firearms, including ten 50 caliber semiautomatic rifles and thousands of rounds of ammunition, using false identification. ("Weaponry: .50 Caliber Rifle Crime," *GAO Office of Special Investigations letter*, August 4, 1999)